

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**OxySure Therapeutics, Inc.(a/k/a OxySure
Systems, Inc.)**

Plaintiff

v.

**Gemini Master Fund, Ltd., Gemini
Strategies, LLC, and Black Mountain
Equities, Inc.**

Defendants.

CASE NO. 4:15-cv-00821

**ORDER GRANTING DEFENDANTS' MOTION TO TRANSFER VENUE
PURSUANT TO 28 U.S.C. § 1404(A), OR, ALTERNATIVELY TO DISMISS THE
COMPLAINT PURSUANT TO FRCP 12(B)(3)**

The Court, having considered Defendants' Gemini Master Fund, Ltd., Gemini Strategies, LLC, and Black Mountain Equities, Motion To Transfer Venue Pursuant To 28 U.S.C. § 1404(A), Or Alternatively, To Dismiss The Complaint Pursuant To FRCP 12(B)(3), (Dkt. No. 5), (the "Motion"), along with all other briefing, authorities, and submissions relating to the Motion, finds that the Motion should be GRANTED. It is therefore ORDERED that the Complaint shall be transferred to the United States District Court for the Eastern District of New York.